

Good morning Chairman Murphy and members of the committee. I am Rebecca Sturdevant, represent Montana Common Sense Coalition

Driving is important for most Montanans. But it is critical that the driver is sober. 24/7 is a very important strategy to keep drivers alcohol free by testing at least twice per day. An Interlock tests the driver before starting the vehicle and several times during the trip.

Currently underage drunk drivers are not subject to 24/7 or interlock. These are our most vulnerable and most deadly drivers. One 20 year old young man in Flathead County bragged about having two DUI arrests, both after he had crashed. He totaled 2 vehicles. He was looking forward to his 21<sup>st</sup> birthday--his parents promised to take him to a bar and get him drunk. His next DUI will be #1 because underage DUIs do not count. He won't go to 24/7 until his 2<sup>nd</sup> DUI (really his 4<sup>th</sup>) assuming he doesn't kill or maim himself or someone else first.

Another young man in Flathead County wasn't so fortunate. The crash he caused seriously injured himself and his 5 passengers. He pled guilty to felony negligent vehicular assault and received a 12 year sentence. 10 days before the crash his older brother had pled guilty to an underage DUI. He paid a \$250 fine. Little brother learned that underage DUI is no big deal—until you maim someone. In my court monitoring 60 of 157 (38%) of underage DUI offenders caused crashes. (vs 29% of adults). Underage crashes also caused more injuries, possibly because kids are more likely to have more passengers in the vehicle—heading home after an underage drinking party.

We want kids to drive sober. This bill will keep them safe.

We have heard concerns that Interlocks are too easy to cheat. There are devices with cameras which photograph the user blowing. The changes in this bill will ensure that interlock providers report violations to the court in a timely manner. It also details the violations, including verification that the user is driving the vehicle, to minimize the potential for cheating.

I would like to see this bill make interlock mandatory for all DUI offenders. In my research in Flathead County 40% of "DUI 1" offenders have been arrested for DUI before. Even if the DUI is a "mistake" it is a deadly mistake. A mistake which could kill or maim my son or your son or daughter. Look at how well this worked in New Mexico. I estimate mandatory interlock could save at least 20 lives in Montana. At no cost to the taxpayer. It even saves money for the user.

An ignition interlock device is simple, secure, and saves lives.



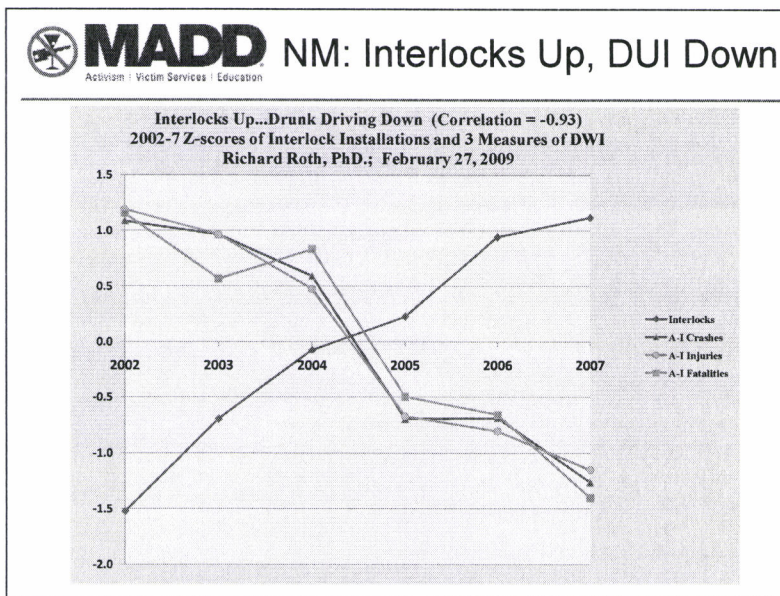
# MCSC: The Voice of Montana's DUI Victims

## SB 367 Improve Interlock Use

Driving is important for most Montanans due to long distances and poor access to public transportation. Driver's license sanctions are often ignored by offenders who drive without a license after suspension or revocation. An ignition interlock device is an affordable practical strategy to allow driving legally while preventing a driver from driving while under the influence of alcohol. An interlock may be a better choice than 24/7 for an offender who is not an alcoholic or an offender who does not live in an area where 24/7 is available. This bill improves accountability to the court for offenders who violate the requirements of an interlock restricted probationary license. The bill

- Expands the use of mandatory interlock (or 24/7) for underage DUI offenders
- Requires interlock providers to report violations to the court in a timely manner
- Lists reportable interlock violations, including failure to use the interlock vehicle
- Increases the fine for aggravated DUI: not less than \$1000 or more than \$5000.
- Allows a probationary license to be issued [after DUI offense] with interlock OR 24/7. Changes vehicle forfeiture from mandatory to optional.

Keep DUI Offenders Sober Behind the Wheel!  
Driving Under the Influence Kills!



- Interlock: No cost to taxpayer
- Saves money for offender  
(Booze costs more than the Interlock)
- Saves lives on our highways (20+ per year)

### The Montana *Common Sense* Coalition

The Coalition is made up of volunteers and receives no public funding to support its efforts.

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